

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH DIVISION**

R. CATHY REARDON)	
On behalf of herself and all)	
similarly situated individuals,)	
)	
Plaintiffs,)	Civil Action No. 2:08-cv-1730MRK
v.)	
CLOSETMAID CORPORATION,)	Hon. Judge Mark R. Hornak
)	
Defendant.)	Class Action

ORDER

AND NOW, on this _____ day of _____ 2013, upon consideration of Plaintiff's Motion *In Limine* to exclude the following evidence and argument regarding Plaintiff's proof that Defendant willfully violated the Fair Credit Reporting Act, and Defendant's response in opposition thereto, it is hereby ORDERED that the Motion is GRANTED.

Defendant ClosetMaid Corporation ("*ClosetMaid*") is precluded from offering any evidence or argument at trial that asks the jury to reconsider ClosetMaid's willful violation of the Fair Credit Reporting Act, specifically as follows:

A. Any evidence or argument that ClosetMaid undertook any action to discover whether its policies complied with the FCRA, or any similar defense to willfulness.

B. Argument or evidence that (1) ClosetMaid did not willfully violate the FCRA because Third Party Reporting Agencies would not have sold its reports, or (2) Because it had subjective good faith and an intent to comply with the law.

- C. Argument or Evidence that Third Party *American Background* provided ClosetMaid the document disclosed as Defendant's Trial Exhibit D10(b).
- D. Argument that the FCRA is "Complex" or "Highly Technical."
- E. Argument that ClosetMaid negligently violated the FCRA.

Hon. Judge Mark R. Hornak